

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)
TIDEWATER UTILITIES, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) PSC DOCKET NO. 13-CPCN-05
AND NECESSITY TO PROVIDE WATER)
SERVICES PURSUANT TO 26 *DEL. C.* §203C)
("LEWES AUTO MALL"))
(FILED JULY 17, 2013))

ORDER NO. 8433

AND NOW, this 27th day of August, 2013:

WHEREAS, on July 17, 2013, Tidewater Utilities, Inc. ("Tidewater") filed an application (the "Application") with the Delaware Public Service Commission (the "Commission") pursuant to 26 *Del. C.* §203C(e)(1)b seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations in order to provide water services to two (2) parcels of land in Sussex County, Delaware identified at Tax Parcel numbers 334-6.00-32.00 and 334-6.00-33.00 and referred to as the Lewes Auto Mall property (the "Proposed Service Area"). The Application included evidence that Tidewater mailed notice of the Application and the options available to all landowners of record in the Proposed Service Area. In addition, Tidewater published notice of the Application in two newspapers of general circulation. The Commission has received no comments regarding Tidewater or this Application; and

WHEREAS, Commission Staff completed its review and investigation of Tidewater and the Application, and submitted a memorandum dated August 13, 2013 to the Commission which confirms that the Application

meets all of the requirements for granting Tidewater a CPCN pursuant to 26 Del. C. §203C and the Commission's *Regulations Governing Water Utilities Including the Public Service Commission's Jurisdiction to Grant and Revoke Certificates of Public Convenience and Necessity*, 26 Del. Admin. C. §2002 (the "Rules"). Thus, Commission Staff recommends approval of the Application.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 Del. C. §203C(e), a Certificate of Public Convenience and Necessity is and shall be granted to Tidewater to serve the Proposed Service Area.

2. Tidewater shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules, and permit conditions that are applicable, or may become applicable, to any matter involving water utility services provided to the service territory granted by this Certificate of Public Convenience and Necessity.

3. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary